

NEW JERSEY SUPREME COURT.

Chg for 3

-----+  
On the Application of the Edison:  
Phonograph Company for a Writ of:  
Certiorari to the State Board of:  
Assessors.  
-----+

State of New Jersey :  
                              : ss:  
County of Essex      :

John F. Randolph being duly sworn  
according to the law on his oath, saith:

That he is the Secretary of the Edison Phonograph  
Company, a manufacturing Company organized under the laws  
of the State of New Jersey; that said Edison Phonograph  
Company was organized as a manufacturing company for the  
purpose of manufacturing and selling phonographs, under  
Letters Patent of the United States; that its stock was  
originally issued to Thomas A. Edison for his patents;  
that said Company was organized on the 8th day of October,  
1887, as by its Certificate appears.

Deponent further says that shortly afterwards, and  
about the summer of the year 1888, other arrangements were  
made by which the North American Phonograph Company was to  
control and carry on said manufacture through the Edison  
Phonograph Works, also a corporation organized for manufac-  
ture under the laws of New Jersey and carrying on its bus-  
iness in that State, and which has ever since made phono-  
graphs for said North American Company by piece-work, un-

County of Essex

: ss:

:

John F. Randolph being duly sworn  
according to the law on his oath, saith:

That he is the Secretary of the Edison Phonograph Company, a manufacturing Company organized under the laws of the State of New Jersey; that said Edison Phonograph Company was organized as a manufacturing company for the purpose of manufacturing and selling phonographs, under Letters Patent of the United States; that its stock was originally issued to Thomas A. Edison for his patents; that said Company was organized on the 8th day of October, 1887, as by its Certificate appears.

Deponent further says that shortly afterwards, and about the summer of the year 1888, other arrangements were made by which the North American Phonograph Company was to control and carry on said manufacture through the Edison Phonograph Works, also a corporation organized for manufacture under the laws of New Jersey and carrying on its business in that State, and which has ever since made phonographs for said North American Company by piece-work, un-



der an agency contract already before this Court; that thereby all the business of this Company came to an end, and this Company ever since has not been engaged in any business whatsoever, and only exists for the purpose of liquidation, and that it holds no property except for such liquidation.

This deponent says that it is the bona fide intention of all parties in interest to wind up the affairs of the Company within the shortest practicable time, and that such winding up has only been delayed by unforeseen circumstances.

Deponent further says that these facts were brought before the attention of the said Board of Assessors shortly after they received notice as to the matter of proposed tax of 1889, and they supposed that there was no tax against them upon the books of the State, until about the 15th day of January 1891, when they received notice of application and petition in Chancery for injunction against the business of this Company for alleged non-payment of an alleged franchise tax on its stock for 1889.

Sworn to before me this : (signed)  
: John F. Randolph.  
ninth day of February 1891 :

Signed  
Edmund Condit,

Notary Public of N. J.

On filing this affidavit, it is ORDERED that the State Board of Assessors show cause before the Supreme Court at Trenton on the third Tuesday of February instant, why a certiorare should not issue to bring up the franchise tax imposed on said the Edison Phonograph Company.

Feb. 9, 1891, Ordered (Signed)

David A. Depue

J. S. C.